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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,350	05/07/2001	Vincent Quigley	Q64053	8123

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EXAMINER

LEVITAN, DMITRY

ART UNIT PAPER NUMBER

2662

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/849,350	QUIGLEY ET AL.	
	Examiner	Art Unit	
	Dmitry Levitan	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Preliminary amendment, filed 05/07/01, has been entered. Claims 1-12 remain pending.

Specification

1. The disclosure is objected to, because abbreviations or acronyms IN SCP, NGT, GK, DMO AAD, DPC/CIC, ADSL ANT, INAP CS2, SAS, LDAP, DNIS are cited throughout the specification without explanation. Applicant should provide a full explanation for the acronyms at least at their first occurrence in the specification.
2. The disclosure is objected to because of the following informalities: Tables, referred on pages 12-14 of the specifications, are not provided.

Appropriate correction is required.

Claim Objections

3. Applicant is advised that should claim 9 be found allowable, claim 10 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
 4. Claim 1 recites the limitation "the message header" and "the location of the user" in line 3. Claim 2 recites the limitation "the access point" in line 2. Claim 3 recites the limitation "the User Profile" in line 2. Claim 6 recites the limitation "the User Profile" in line 3.
- There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 11 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 2, 4, 5, 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster (US 6,674,745) in view of Chen (US 6,658,006).

9. Regarding claims 1 and 8-10, Schuster substantially teaches the limitations of claims 1 and 8-10:

A network and a method of determining a geographical area from which a connection is established (identifying specific geographical location of a Self Registering IP telephony Gateway (SRITG) 11:12-24, as an IP telephone call originating gateway 18 on Fig. 1 and 8:26-

32), including an origin identifier serving to identify the location of the user (coordinates of a SRITG, provided to Address Mapping System (AMS) to identify telephone numbers located geographically close to the SRITG 11:25-28).

Schuster also teaches an IP network connecting ITG 18 and AMS 40 as shown on Fig. 1, wherein the messages are inherently packets with headers, and delivering the SRITG coordinates to the AMS in any suitable fashion 11:39-41.

Schuster does not teach adding the origin identifier tag to the message header.

Chen teaches adding the origin identifier tag to the message header (modifying the header of the message to identify the source of the message 1:40-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the header modification of Chen to the system of Schuster to improve the system efficiency by utilizing a message header for transmitting the geographical information, instead of sending a separate message containing only the geographical information without data.

In addition, regarding claim 8, Schuster teaches message tagging means (inherently part of SRITG, because packetizer of ITG 4:55-5:5 performs the telephone signals conversion to IP packets) connected to the network, each including a topographical data base including a corresponding origin identifier tag for addition to message header (SRITG includes Global Positioning System (GPS), inherently containing a topographical data base, because a topographical data base is essential for the GPS operation, to identify the SRITG coordinates 11:12-23).

In addition, regarding claims 9 and 10, Schuster teaches gateways at the edge of the network (SRITG are edge gateways for IP network as shown on Fig. 1 and 4:55-5:10), each

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including a topographical data base including a corresponding origin identifier tag (SRITG includes Global Positioning System (GPS), inherently containing a topographical data base, because a topographical data base is essential for the GPS operation, to identify the SRITG coordinates 11:12-23).

10. Regarding claim 2, Schuster teaches identifying the access point of the user at the edge of the network (identifying the coordinates of access gateway SRITG, as an edge gateway of the IP system shown on Fig. 1, and operating as an originating ITG/access point for the user to route the call over the IP network 4:13-23).

11. Regarding claim 4, Schuster teaches allocating the origin identifier tag in a manner analogous to exchange service area numbers (allocating SRITG coordinates, defined by the SRITG location 11:20-23, creating the SRITG serving area defined by the geographical location of the users 3:31-36 and locating SRITG in each major city in a telephone company central office 6:27-39).

12. Regarding claim 5, Schuster teaches a cross domain manager to manage the allocation of origin identifier tags (AMS database management server 44 on Fig. 3 and 7:15-41 operating with multiple SRITGs, each having own domain name 10:23-33, making AMS a cross domain manager).

13. Regarding claim 7, Schuster teaches the origin identifier tag is added by a LAN server to which the user is connected (Schuster teaches a user originating a phone call from his PC, connected to the SRITG by LAN, therefore making SRITG operate as a LAN server 6:45-51).

14. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster in view of Chen in further view of Johansson (US 6,442,391).

Regarding claim 3, Schuster in view of Chen teaches all the limitations of parent claim 1, including a User Profile for the user authorization and accounting 8:33-43.

Schuster in view of Chen does not teach adding the origin identifier tag to the User Profile.

Johansson teaches adding the origin identifier tag to the User Profile (using the origin identifier tag/user geographic location in the User Profile for authorization and security, as in Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add teaching of Johansson to the system of Schuster in view of Chen to improve the system control, permitting the mobile user communication access only in predetermined areas, and security by adding additional protection, specifying the geographical location of the user in the User Profile.

Regarding claim 6, Schuster in view of Chen teaches all the limitations of parent claim 1, including a User Profile for the user authorization and accounting 8:33-43 and keeping a Topology database in AMS identifying the telephone numbers geographically close to a SRITG 3:31-36.

Schuster in view of Chen does not teach keeping a Topology base in each gateway and adding the origin identifier tag to a Topology database in each gateway, ready to be added to the User Profile.

Johansson teaches adding the origin identifier tag to the User Profile (using the origin identifier tag/user geographic location in the User Profile for authorization and security, as in Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to keep a Topology database in each gateway and add teaching of Johansson to the system of Schuster in view of Chen to improve the system reliability by keeping copies of the Topology database in each gateway and security by adding additional protection, by specifying the geographical location of the user in the User Profile.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is (571) 272-3093. The examiner can normally be reached on 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'DL' followed by a stylized name.

Dmitry Levitan
Patent Examiner.
06/08/05